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Attorneys for Defendants

11 MARC L. ANDREESSEN, LAWRENCE T.
12 BABBIO, SARI M. BALDAUF, RAJIV L.
13 GUPTA, JOHN H. HAMMERMAYER, JOEL Z.
HYATT, JOHN R. JOYCE, ROBERT L.
RYAN, LUCILLE S. SALHANY, and
G. KENNEDY THOMPSON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

17 SAGINAW POLICE & FIRE PENSION FUND,) Civil Action No: 5:10-CV-4720-LHK
Derivatively on Behalf of HEWLETT-)
18 PACKARD COMPANY.)

19 Plaintiff, }
20 vs. }
} MOTION PENDING
} STIPULATION AND [PROPOSED]
} ORDER TO EXTEND TIME TO FILE
} RESPONSE TO COMPLAINT AND TO
} ESTABLISH BRIEFING SCHEDULE

21 MARC L. ANDREESSEN, LAWRENCE T.) Courtroom: Courtroom 4, 5th Floor
22 BABBIO, SARI M. BALDAUF, RAJIV L.) Judge: Hon. Lucy H. Koh
23 GUPTA, JOHN H. HAMMERMREN, MARK)
24 V. HURD, JOEL Z. HYATT, JOHN R. JOYCE,) Trial Date: Not Yet Set
ROBERT L. RYAN, LUCILLE S. SALHANY,)
and G. KENNEDY THOMPSON,)

25 Defendants,

26 ||

HEWLETT-PACKARD COMPANY.

Nominal Defendant.

1 Plaintiff Saginaw Police & Fire Pension Fund ("Saginaw") and Defendants Marc L.
2 Andreessen, Lawrence T. Babbio, Sari M. Baldauf, Rajiv L. Gupta, John H. Hambergren, Mark V.
3 Hurd, Joel Z. Hyatt, John R. Joyce, Robert L. Ryan, Lucille S. Salhany and G. Kennedy Thompson
4 and Nominal Defendant Hewlett-Packard Company ("HP") stipulate as follows:

5 WHEREAS, Plaintiff Saginaw filed this action captioned *Saginaw Police & fire Pension*
6 *Fund v. Marc L. Andreessen, et al.* (Case No. 5:10-CV-4720-LHK) in this Court on October 19,
7 2010;

8 WHEREAS, Nominal Defendant HP was served with process in this action no later than
9 October 21, 2010;

10 WHEREAS, Defendant Salhany was served with process in this action on October 22, 2010;

11 WHEREAS, Defendants Gupta, Joyce, and Thompson were served with process in this
12 action on October 23, 2010;

13 WHEREAS, Defendants Hambergren and Hyatt were served with process in this action on
14 October 24, 2010;

15 WHEREAS, Defendant Babbio was served with process in this action on October 25, 2010;

16 WHEREAS, Defendants Andreessen, Baldauf, and Ryan signed and returned Waivers of
17 the Service of Summons on November 1, 2010, requiring these defendants to answer, move or
18 otherwise respond to the complaint in this action on December 28, 2010;

19 WHEREAS, Defendant Hurd signed and returned a Waiver of Service of Summons on
20 November 10, 2010, requiring Defendant Hurd to answer, move or otherwise respond to the
21 complaint in this action on December 28, 2010;

22 WHEREAS, the parties agree that Defendants Andreessen, Babbio, Baldauf, Gupta,
23 Hambergren, Hurd, Hyatt, Joyce, Ryan, Salhany, and Thompson and Nominal Defendant HP
24 should have the same date to answer, move or otherwise respond to the complaint in this action,
25 and that the parties should establish a briefing schedule for any motions filed in response to the
26 complaint in this action, taking into account the winter holidays;

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1 NOW, THEREFORE, the parties agree as follows:

2 1. Defendants Marc L. Andreessen, Lawrence T. Babbio, Sari M. Baldauf,
3 Rajiv L. Gupta, John H. Hambergren, Mark V. Hurd, Joel Z. Hyatt, John R. Joyce, Robert L. Ryan,
4 Lucille S. Salhany, and G. Kennedy Thompson and Nominal Defendant Hewlett-Packard Company
5 shall answer, move or otherwise respond to the complaint in this action on January 13, 2011.

6 2. Plaintiff Saginaw Police & Fire Pension Fund shall file its opposition brief to
7 any motion to dismiss, or any motion otherwise responding to, the complaint in this action on
8 February 28, 2011.

9 3. Defendants Marc. L Andreessen, Lawrence T. Babbio, Sari M. Baldauf,
10 Rajiv L. Gupta, John H. Hambergren, Mark V. Hurd, Joel Z. Hyatt, John R. Joyce, Robert L. Ryan,
11 Lucille S. Salhany, and G. Kennedy Thompson and Nominal Defendant Hewlett-Packard Company
12 shall file any reply briefs in further support of any motion to dismiss, or any motion otherwise
13 responding to, the complaint in this action on March 21, 2011.

14 4. Defendants Marc L. Andreessen, Lawrence T. Babbio, Sari M. Baldauf,
15 Rajiv L. Gupta, John H. Hambergren, Mark V. Hurd, Joel Z. Hyatt, John R. Joyce, Robert L. Ryan,
16 Lucille S. Salhany, and G. Kennedy Thompson preserve their rights to object to this action for
17 improper venue or lack of personal jurisdiction.

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1 5. This stipulation is made without prejudice to the parties later agreeing to a
2 further stipulation extending the time to answer, move or otherwise respond to the complaint in this
3 action, and without prejudice to any party later seeking an order from the Court seeking a new date
4 to answer, move or otherwise respond to the complaint in this action.

5 DATED: November 11, 2010

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

By: James E. Lyons 1950
James E. Lyons

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San Francisco, California 94111
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Attorneys For Defendants Marc L. Andreessen, Lawrence T. Babbio, Sari M. Baldauf, Rajiv L. Gupta, John H. Hambergren, Joel Z. Hyatt, John R. Joyce, Robert L. Ryan, Lucille S. Salhany and G. Kennedy Thompson

14 I, James E. Lyons, am the ECF User whose ID and password are being used to file this
15 STIPULATION AND [PROPOSED] ORDER TO EXTEND TIME TO FILE RESPONSIVE
PLEADINGS AND TO ESTABLISH BRIEFING SCHEDULE. In compliance with General
Order 45, X.B., I hereby attest that each of the three signatories below has concurred in this filing.

17 DATED: November __, 2010 ALLEN MATKINS LECK GAMBLE MALLORY & NASTIS LLP

By: Lawrence D. Lewis

1900 Main Street, 5th Floor
Irvine, California 92614
Telephone: (949) 553-1313
Facsimile: (949) 553-8354

Attorneys For Defendant Mark V. Hurd

1 5. This stipulation is made without prejudice to the parties later agreeing to a
2 further stipulation extending the time to answer, move or otherwise respond to the complaint in this
3 action, and without prejudice to any party later seeking an order from the Court seeking a new date
4 to answer, move or otherwise respond to the complaint in this action.

5 DATED: November , 2010 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

6

7 By: _____
James E. Lyons

8 Four Embarcadero Center
9 Suite 3800
10 San Francisco, California 94111
11 Telephone: (415) 984-2683
12 Facsimile: (415) 984-2698

13 *Attorneys For Defendants Marc L. Andreessen, Lawrence T.
14 Babbio, Sari M. Baldauf, Rajiv L. Gupta, John H.
15 Hammergren, Joel Z. Hyatt, John R. Joyce, Robert L. Ryan,
16 Lucille S. Salhany and G. Kennedy Thompson*

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21 DATED: November 10, 2010 ALLEN MATKINS LECK GAMBLE MALLORY &
22 NASTIS LLP

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24 Lawrence D. Lewis

25 1900 Main Street, 5th Floor
26 Irvine, California 92614
27 Telephone: (949) 553-1313
28 Facsimile: (949) 553-8354

29 *Attorneys For Defendant Mark V. Hurd*

1 DATED: November 10, 2010

MORGAN, LEWIS & BOCKIUS LLP

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4 One Market, Spear Street Tower
5 San Francisco, California 94105-1596
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7 Facsimile: (415) 442-1001

8
9
10 *Attorneys For Nominal Defendant Hewlett-Packard
11 Company*

12 DATED: November __, 2010

13 SCOTT + SCOTT LLP

14 By: _____

15 Mary K. Blasy

16
17 707 Broadway
18 Suite 1000
19 San Diego, California 92101
20 Telephone: (619) 233-4565
21 Facsimile: (619) 233-0508

22
23 *Attorneys For Plaintiff Saginaw Police & Fire Pension
24 Fund*

25 PURSUANT TO STIPULATION, IT IS SO ORDERED:

26 Dated: _____, 2010

27
28 HON. LUCY H. KOH
29 UNITED STATES DISTRICT JUDGE
30 NORTHERN DISTRICT OF CALIFORNIA

1 DATED: November __, 2010

MORGAN, LEWIS & BOCKIUS LLP

2

3 By: _____

Franklin Brockway Gowdy

4

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7 Telephone: (415) 442-1000
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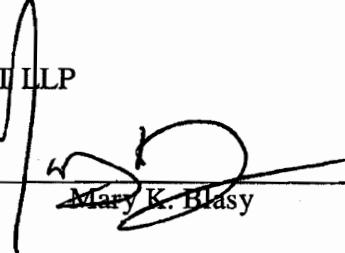
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DATED: November 10 2010

SCOTT + SCOTT LLP

By: _____


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707 Broadway
Suite 1000
San Diego, California 92101
Telephone: (619) 233-4565
Facsimile: (619) 233-0508

15 *Attorneys For Plaintiff Saginaw Police & Fire Pension*
16 *Fund*

17 PURSUANT TO STIPULATION, IT IS SO ORDERED:

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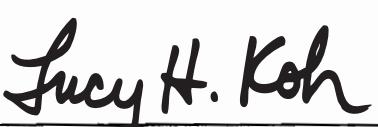
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HON. LUCY H. KOH
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF CALIFORNIA